

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

**THE ASSOCIATED GENERAL
CONTRACTORS OF AMERICA, INC.**
2300 Wilson Blvd., Suite 300
Arlington, VA 22201

**LOUISIANA ASSOCIATED GENERAL
CONTRACTORS,**
666 North St.
Baton Rouge, LA 70802

Civil Action No. 6:24-cv-37

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., in his official capacity as President of the United States;
**FEDERAL ACQUISITION
REGULATORY COUNCIL; GENERAL
SERVICES ADMINISTRATION;**
JEFFREY E. KOSES, in his official capacity as Administrator of General Services Administration; **OFFICE OF
FEDERAL PROCUREMENT POLICY;**
CHRISTINE J. HARADA, in her official capacity as FAR Council Chair and Senior Advisor to the Deputy Director for Management, Office of Federal Procurement Policy; **DEPARTMENT OF
DEFENSE; JOHN M. TENAGLIA**, in his official capacity as Principal Director, Defense Pricing and Contracting, Office of Secretary of Defense; **NATIONAL
AERONAUTICS AND SPACE
ADMINISTRATION; KARLA S.
JACKSON**, in her official capacity as Assistant Administrator for Procurement, National Aeronautics and Space Administration

Defendants,

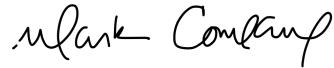
DECLARATION OF MARK COMEAUX

Pursuant to 28 U.S.C. §1746, I, MARK COMEAUX, declare that:

1. This Declaration is based on my personal knowledge.
2. I am competent to make this Declaration and I am over 18 years of age.
3. I am personally familiar with the facts stated herein and that they are truthful and accurate to the best of my knowledge.
4. I am the Chief Financial Officer of Rigid Constructors, LLC (the “Company”) in Lafayette, Louisiana, within the Western District of Louisiana, United States District Court.
5. Rigid Constructors, LLC has experience in performing federal work funded 100% by federal dollars and requiring compliance with the FAR.
6. Part of the business plan of Rigid Constructors, LLC is to continue bidding and performing federal construction projects.
7. I am generally familiar with President Joseph R. Biden’s Executive Order 14063 which requires the use of Project Labor Agreements on certain federal construction projects (“PLA Mandate”).
8. Rigid Constructors, LLC is not now and never has been a union contractor. Instead, the Company prefers to remain open shop and not having to deal with labor unions. If the PLA mandate is upheld, Rigid Constructors, LLC will not pursue or bid such covered federal contracting work.
9. I am aware that certain federal projects are already being discussed for possible bidding, indicating they will be let in accordance with the PLA mandate. Rigid Constructors, LLC has no intention of bidding any new federal work that would require our company to sign a Project Labor Agreement. We prefer, and our

subcontractors historically prefer, to be open shop.

10. It goes without saying that if our company does not pursue federal work that is subject to a Project Labor Agreement, the result will be a potential loss of business which would adversely impact our Company.
11. In Louisiana, where we historically bid and perform federal work, there are very few active labor unions and even fewer subcontractors who are used to dealing with labor unions.
12. Rigid Constructors, LLC supports the effort of the Louisiana Associated General Contractors and Associated General Contractors America in attempting to enjoin the implementation of President Joseph R. Biden's Executive Order mandating Project Labor Agreements on federal projects.
13. I declare under penalty of perjury that the foregoing is true and correct and executed this 23rd day of February, 2024.



Mark Comeaux